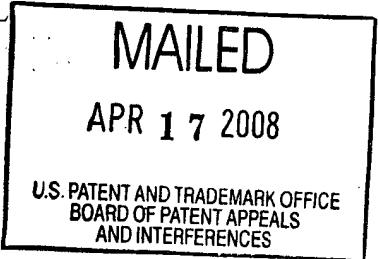


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: GHASSAN CHIDIAC, SANJAY GUPTA, JEFF NORDYKE,
GIANCARLO PALLESCHI, MATTHEW ROSENTHAL
AND ARNOLD O. VIMBA

Application No. 09/730,219



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 4, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on January 29, 2007. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) consider the Reply Brief filed January 29, 2007 as indicated above; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:


Dale M. Shaw
Chief Appeals Administrator
(571) 272-9797

DMS/tsj

cc: McIntyre Harbin & King
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Washington, DC 20003